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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,243	08/30/2000	RICHARD REISMAN	1311.1300	1384

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EXAMINER
ALI, MOHAMMAD

ART UNIT	PAPER NUMBER
2177	

DATE MAILED: 09/22/2004

20

Please find below and/or attached an Office communication concerning this application or proceeding.

FILE NO. 01711-00700
ATTORNEY DDS
DUE DATE 12/21/04
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PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/651,243	REISMAN, RICHARD
		Examiner	Art Unit	
		Mohammad Ali	2177	#19

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>23 February 2004</u>.
2a) ☐ This action is **FINAL**.　　2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-21 and 39-58</u> is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-21 and 39-58</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a) ☐ All　b) ☐ Some * c) ☐ None of:
　　　　1. ☐ Certified copies of the priority documents have been received.
　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>15, 16, 16</u>.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to the RCE filed on February 23, 2004.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-21 and 39-58 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,460,036 B1 issued to Frederick S. M. Herz ("Hertz").

As to claim 1, Herz discloses, an apparatus for responding to a current user command associated with one of a plurality of task/domains (col. 1, lines 19-43 et seq). In particular, Herz teaches,"means for storing cumulative feedback data gathered from multiple users during previous operations of the apparatus and segregation in accordance with the plurality of task/domains" as user's interest in each target object identify the greatest interest to the user and filtering the users feedback data. The feedback data is stored in long-term is summarized from, as a part of database of user feedback information. The interest is assessing in a document via passive feedback in a domain and this feedback is separated (segregate) as of scale 0 to 10' at col. 17, lines 30-49 et seq ."means for determining the current task/domain with which the current user command,..."

taught by Herz at col. 19 lines 49-58. "means for determining a current response to the current user command,..." taught by Herz at col. 19 lines 49-65. "means for communicating to the user the current response" taught by Herz at col. 40 lines 56-58. "means for receiving from the user current feedback data,..." taught by Herz at col. 40 lines 56-67. wherein the current feedback data is added to the cumulative feedback data stored,..." taught by Herz at col. 40 lines 56-67.

Claims 7 and 12 have same subject matter as of claim 1 and essentially rejected as discussed in the rejection of claim 1.

Claim 17 have same subject matter as of claim 1, 7, and 12 except "digital storage device" and Herz teaches at col. 9 lines 1-11 and essentially rejected as discussed above in the rejection of claim 1.

As per claim 2, "current task/domain determining means determines the current user task/domain by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 3, "current task/domain determining means determines the current user task/domain by inferring the current user,..." taught by Herz at col. 19 lines 49-58.

As per claim 4, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 5, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 6, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 8, "current task/domain determining means determines the current user task/domain by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 9, "current task/domain determining means determines the current user task/domain by inferring the current user,..." taught by Herz at col. 19 lines 49-58.

As per claim 10, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain

determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 11, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 13, "current task/domain determining means determines the current user task/domain by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 14, "current task/domain determining means determines the current user task/domain by inferring the current user,..." taught by Herz at col. 19 lines 49-58.

As per claim 15, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 16, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...."

taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 18, "current task/domain determining means determines the current user task/domain by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 19, "current task/domain determining means determines the current user task/domain by inferring the current user,..." taught by Herz at col. 19 lines 49-58.

As per claim 20, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 21, "the apparatus is a server on a wide area network" taught by Herz at col. 78 lines 28-29. "the commands from the user comprise one of a search term for a discovery (col. 74 lines 18-21) searching task/domain,...." taught by Herz at col. 7 lines 57 to col. 8 lines 9. "the current task/domain determining means determines which of the task/domains is currently intended by asking the user" taught by Herz at col. 19 lines 49-58.

As per claim 39,

"wherein each of the plurality of task/domain,....." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 40,

"wherein an objective of the current user command,...." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 41,

"wherein each of the plurality of task/domain,....." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 42,

"determining an objective of the current,....." is taught by Herz col. 17, lines 30-49 et seq; and

"carrying out the determined objective,...." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 43,

"wherein the stored cumulative feedback,...." is taught Herz at col. 40 lines 56-67.

As per claim 44,

"wherein the current of task/domain,....." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 45,

"determining an objective of the current user,...." and

"carry out the determined objective,...." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 46,

"wherein the stored cumulative feedback,..." is taught Herz at col. 40 lines 56-67 et seq.

As per claim 47,

"wherein each of the plurality of task/domain,...." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 48,

"wherein an objective of the current user command,...." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 49,

"wherein the stored cumulative feedback,...." is taught Herz at col. 40 lines 56-67 et seq.

As to claim 50, Herz discloses, a method of utilizing feedback,.. (col. 1, lines 19-43 et seq). In particular, Herz teaches "providing a database" at col. 9, lines 3-4. Herz teaches,"storing database a plurality of previous command,..." as user's interest in each target object identify the greatest interest to the user and filtering the users feedback data. The feedback data is stored in long-term is summarized from, as a part of database of user feedback information. The interest is assessing in a document via passive feedback in a domain and this feedback is separated (segregate) as of scale 0 to 10' at col. 17, lines 30-49 et seq . 'inputting a command at col. Abstract et seq, Herz. "determining a task/domain,..." taught by Herz at col. 19 lines 49-58. "storing in the database feedback,..." taught by Herz at col. 9 lines 7-10.

As per claim 51,

"wherein a task/domain comprises an operation to be performed" is taught by Herz col. 17, lines 30-49 et seq.

As per claim 52,

"wherein a task/domain,..." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 53,

"wherein the plurality of previous commands,..." is taught by Herz col. 17, lines 30-49 et seq.

As to claim 50, Herz discloses, a system that utilizes feedback,.. (col. 1, lines 19-43 et seq). In particular, Herz teaches,"storing database a plurality of previous command,..." as user's interest in each target object identify the greatest interest to the user and filtering the users feedback data. The feedback data is stored in long-term is summarized from, as a part of database of user feedback information. The interest is assessing in a document via passive feedback in a domain and this feedback is separated as of scale 0 to 10' at col. 17, lines 30-49 et seq . 'input means inputting a command at col. Abstract et seq, Herz. "determining a task/domain,..." taught by Herz at col. 19 lines 49-58. "wherein feedback ,..." taught by Herz at col. 9 lines 7-10 et seq.

As per claim 55,

"wherein a task/domain,...." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 56,

"wherein a task/domain,...." is taught by Herz col. 17, lines 30-49 et seq.

As per claim 57,

"wherein the plurality of previous commands,...." is taught by Herz col. 17,

lines 30-49 et seq.

As per claim 58,

"wherein the multiple users,...." is taught by Herz col. 17, lines 30-49 at col.

40 lines 56-67 et seq.

Remarks

4. **First,** Applicant argues that Herz does not teach, 'means for storing

cumulative feedback data gathered from multiple users during previous

operations of the apparatus and segregated in accordance with the plurality of

task/domain'.

In response to Applicant's arguments, the Examiner respectfully submits

that in particular, Herz teaches this limitation as, user's interest in each target

object identify the greatest interest to the user and filtering the users feedback

data. The feedback data is stored in long-term is summarized from, as a part of

database of user feedback information. The interest is assessing in a document

via passive feedback in a domain and this feedback is separated (segregate) as

of scale 0 to 10 (col. 17, lines 30-49 et seq).

Second, Applicant argues that Herz does not teach, 'digital storage

device'.

In response to Applicant's arguments, the Examiner respectfully submits

that in particular, Herz teaches this limitation as, the target object consist entirely

of text document and digitally stored on the data storage devices within the computer network (col. 9, lines 9-11, Fig. 2 et seq).

Third, Applicant argues that Herz does not teach, 'iteration of stored feedback data'.

In response to Applicant's arguments, the Examiner respectfully submits that in particular, Herz teaches this limitation as, feedback data from the users is collected or stored and iterated over the period of time (col. 3, lines 48-54 et seq).

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or Customer Service (703) 306-5631. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for any communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Mohammad Ali

Patent Examiner

AU 2177

MA

September 17, 2004